

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. National Phase of International)	
Application No. PCT/FR2003/002844 of:)	
Xavier BLIN et al.)	Group Art Unit: 1616
)	
Application No. 10/529,318)	Examiner: J. RICHTER
)	
§ 371 date: March 25, 2005)	
)	
PCT Filed: September 26, 2003)	Confirmation No. 6674
)	
For: COSMETIC COMPOSITION)	
COMPRISING A SEQUENCED)	
POLYMER AND A PLASTICIZER)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patents, patent application publications, co-pending applications, and respective office actions are not enclosed as they are available on the Imaged File Wrapper of PAIR.

The United States Court of Appeals for the Federal Circuit held in *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358, 66 U.S.P.Q.2d 1801 (Fed. Cir. 2003), that an “adverse decision” by another examiner may meet the materiality standard under the amended Rule 56, and thus, Applicants should disclose prior rejections of “substantially similar claim[s]” to the Office. *See also* M.P.E.P. § 2001.06(b). Accordingly, although Applicants are not representing that the Office Actions in the co-pending applications are material to the present application and are not admitting that any of the other claims are substantially similar, out of an abundance of caution, Applicants have listed the substantive Office Actions in co-pending applications on the attached form.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The following is a statement regarding the non-English language documents:

1. **DE 100 29 697**: This document was submitted in the Information Disclosure Statement filed July 16, 2006, in the instant application. An English language Derwent abstract of this document is listed on the attached IDS Form PTO/SB/08, and a copy of the abstract is submitted herewith.
2. **EP 0 648 485**: This document was submitted in the Information Disclosure Statement filed July 16, 2006, in the instant application. An English language Derwent abstract of this document is listed on the attached IDS Form PTO/SB/08, and a copy of the abstract is submitted herewith.
3. **EP 1 024 184**: This document is believed to be related to U.S. Patent No. 6,399,691, cited on the attached IDS Form PTO/SB/08.

4. **FR 2 140 977**: An English language Derwent abstract of this document is listed on the attached IDS Form PTO/SB/08, and a copy of the abstract is submitted herewith.
 5. **FR 2 710 552**: This document was submitted in the Information Disclosure Statement filed July 16, 2006, in the instant application. An English language abstract of this document is listed on the attached IDS Form PTO/SB/08, and a copy of the abstract is submitted herewith.
 6. **FR 2 710 646**: This document is believed to be related to U.S. Patent No. 5,711,940, cited on the attached IDS Form PTO/SB/08.
 7. **FR 2 791 987**: This document was submitted in the Information Disclosure Statement filed July 16, 2006, in the instant application. An English language abstract of this document is listed on the attached IDS Form PTO/SB/08, and a copy of the abstract is submitted herewith.
 8. **FR 2 832 720**: This document was submitted in the Information Disclosure Statement filed July 16, 2006, in the instant application. An English language abstract of this document is listed on the attached IDS Form PTO/SB/08, and a copy of the abstract is submitted herewith.
 9. **JP 07-309721**: An English language abstract of this document is listed on the attached IDS Form PTO/SB/08, and a copy of the abstract is submitted herewith.
 10. **JP 08-119836**: An English language abstract of this document is listed on the attached IDS Form PTO/SB/08, and a copy of the abstract is submitted herewith.
 11. **JP 2000-319325**: This document is believed to be related to U.S. Patent No. 6,552,146, cited in the Information Disclosure Statement filed on July 19, 2006.
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12. **JP-2002-201244**: JP-2002-201244 was cited by the Examiner during the prosecution of co-pending Application No. 10/670,478, filing date September 26, 2003, and a computer translation was provided. Also, an English language abstract of this document is listed on the attached IDS Form PTO/SB/08, and a copy of the abstract is submitted herewith.

13. **WO 01/13863**: An English language Abstract of this document is submitted herewith. An English-language abstract is also found on the face of the document.

14. **WO 01/51018**: An English language abstract of this document is listed on the attached IDS Form PTO/SB/08, and a copy of the abstract is submitted herewith. An English-language abstract is also found on the face of the document.

15. **WO 02/05762**: This document is believed to be related to U.S. Patent Application Publication No. 2004/0052745. An English-language abstract is also found on the face of the document.

16. **WO 96/10044**: This document is believed to be related to U.S. Patent No. 6,280,713. This document is also the publication of JP H10-506404, which is not available except in the form of the PCT document. An English-language abstract is also found on the face of the document.

17. **French Search Report for FR 02/11949**: This is the French Search Report for FR 02/11949 for co-pending Application No. 10/670,478 (Attorney Docket No. 05725.1242-00).

18. **European Search Report for EP 03 292 383**: This is the European Search Report for EP 03 292 383 for co-pending Application No. 10/670,388 (Attorney Docket No. 05725.1243-00).

19. **Pigeon, R. et al., Chimie Macromoléculaire Appliquée, no. 600, 40/41 (1074), pp. 139-158:** An English-language abstract is found on the first and second pages of the document.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: March 13, 2009

By: 

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